

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Sarah Ann Yardley

Principal

YOB: 1961

USC

Jessica Ann Underwood

Co-Principal

YOB: 1985

USC

United States District Court
Southern District Of Texas
FILED

Case Number:

JAN 29 2020

M-20-0230-M-A

David J. Bradley, Clerk

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 27, 2020 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Ling Huang Gui, citizen of China, along with four (4) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near McAllen, Texas to the point of arrest near La Feria, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On January 23, 2020 Border Patrol Agents received information from an apprehended stash house caretaker regarding a residence used to harbor undocumented Chinese nationals.

On January 27, 2020, Agents began conducting surveillance on 1322 S. 19 1/2 street in McAllen, Texas. Agents observed a silver Nissan Altima, driven by a female subject with a female passenger in the front seat, arrive at the residence. Moments later, Agents saw the privacy gate of the property open and then close immediately as the vehicle went inside. The silver Nissan Altima was seen by Agents exiting the residence through the same privacy gate approximately one minute later, at which time they observed three additional subjects in the rear passenger compartment who had not been there previously. Agents followed the vehicle and were able to see that the three subjects in the back of the Nissan Altima appeared to be of Asian descent.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by AUSA Amy L. Greenbaum
1/29/2020 Amy L. Greenbaum

Signature of Complainant

Maria Guerrero Border Patrol Agent
Printed Name of Complainant

January 29, 2020
Date

at McAllen, Texas
City and State

J. Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20-0230-M-A

**RE: Sarah Ann Yardley
Jessica Ann Underwood**

CONTINUATION:

After following the Nissan Altima for approximately 30 minutes, the vehicle was stopped by the La Feria Police Department for speeding. Agents arrived on scene and conducted immigration inspections on the driver, the passenger, and the three subjects in the back of the vehicle. Agents identified the female driver of the car as Sarah Ann Yardley, a United States Citizen and the passenger was identified as Jessica Ann Underwood also a United States Citizen. The three subjects in the back of the car were determined to be citizens of the People's Republic of China, illegally present in the United States. All of the subjects were transported to the McAllen Border Patrol Station for further processing.

Once at the McAllen Border Patrol Station, Yardley admitted to having picked up the three nationals of China at 1322 S 19 ½ St. in McAllen, Texas, with the intention of transporting them to Houston, Texas. A search warrant for that premises was obtained, at which time Agents proceeded to the aforementioned location. Upon making entry into the residence, Agents took an additional two subjects into custody, both of whom were also found to be Chinese nationals illegally present in the United States. Both Chinese nationals were then transported to the McAllen Border Patrol Station for further processing.

PRINCIPAL STATEMENT:

Sara Ann Yardley was read her Miranda rights. Yardley understood her rights and agreed to provide a sworn statement without the presence of an attorney.

Yardley stated she received a message from a subject by the name of "OSO" on January 27, 2020 in the early morning to go to Pharr, Texas to pick up three subjects. Yardley stated she and her friend, Jessica left her residence in Aransas Pass, Texas early in the morning and drove to the Rio Grande Valley. Yardley stated that half way on their trip, she informed her friend, Jessica that they were going to pick up three undocumented subjects and that her friend stated she was scared.

Yardley stated that once they were close to the Rio Grande Valley, she got a text message from "OSO" advising her to wait at the I-HOP in Edinburg, Texas. Yardley stated that they waited there about an hour, after which she received another text message from "OSO" with an address where she was to pick up the three subjects. Yardley stated that once they arrived at 1322 S. 19 ½ Street in McAllen, she waited a few seconds by a cedar fence before it opened automatically. Yardley stated that a male subject waved them in and instructed them to park by the residence. Yardley stated the male subject went inside the home, and returned with three subjects who entered into the back of the car. Yardley stated they left the residence and were stopped by the police shortly thereafter.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

Yardley stated she had intended to transport the three subjects to Houston, Texas, and had been instructed to turn them over to an unknown female in the parking lot of a Wal-Mart upon arriving. Yardley stated that the unknown female in Houston would give her an unspecified amount of money as payment, and that she would later split that money with "OSO". Yardley further stated that she had transported undocumented subjects on three other occasions, and that those subjects had mostly been of Chinese descent. She also said that on her prior successful smuggling attempts, she would stop before the checkpoint and instruct the subjects whom she was transporting to get inside the trunk of her car.

Yardley identified Underwood, through a photo lineup, as her friend that had made the trip with her to pick up the undocumented aliens.

CO-PRINCIPAL STATEMENT:

Jessica Ann Underwood was read her Miranda rights. Underwood understood her rights and agreed to answer questions without the presence of an attorney.

Underwood stated that her friend Yardley had requested her company on a road trip from Aransas Pass, Texas to the Rio Grande Valley and then to Houston, Texas. Underwood stated that they left in the early morning of January 27, 2020, and that she was asleep for most of the trip, but woke up when they were already in the Rio Grande Valley near some stores. Underwood stated that before they entered the stores, Yardley had received a text message from an unknown person, at which time Yardley asked her to input an address into her phone.

Underwood stated that they then left the stores' parking lot and proceeded to the address she had typed into her phone. Underwood stated that upon arrival to the address, a male subject opened the property gate from the inside. Underwood stated that the male subject entered the house and then exited with three subjects who subsequently got inside the car. Underwood stated that shortly after they left the residence to continue their trip to Houston, Texas, she overheard a phone conversation her friend Yardley was having with an unknown person in which she said she had "picked up the package". Underwood stated that they were stopped by the police shortly thereafter.

Underwood identified Yardley, through a photo lineup, as her friend that invited her on a road trip to the Rio Grande Valley, Texas.

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SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

MATERIAL WITNESS STATEMENT:

Ling Huang Gui was read her Miranda rights. Huang Gui understood her rights and was willing to provide a sworn statement without the presence of an attorney.

Huang Gui stated she did not remember the exact day she made her illegal entry to the United States. Huang Gui stated her smuggling arrangements were made by her family in China and claims to have no knowledge of the amount they paid. Huang Gui stated she was the only Chinese national when she made her illegal entry. Huang Gui stated that on January 27, 2020, she along with two other Chinese nationals were picked up at a residence in a car. Huang Gui stated her and the other two Chinese nationals were sitting in the back seat of the vehicle and that the vehicle was driven by a female and there was another female in the front passenger seat.